

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHRISTIAN D. WOODSON	:
	:
Plaintiff,	: CIVIL ACTION
	:
v.	: NO. 12-cv-04919
	:
PRIME CARE MEDICAL, INC., <i>et al.</i>	:
	:
Defendants.	:

**ORDER**

AND NOW, this 23<sup>rd</sup> day of January 2013, upon careful consideration of defendants Lancaster County Prison (“LCP”), Warden Smeal, and Deputy Wardens Arnold and Shiffer’s motion to dismiss, and plaintiff’s opposition thereto, it is hereby **ORDERED** that:

1. Plaintiff’s claims under § 1983 against LCP are **DISMISSED WITH PREJUDICE**.
2. Plaintiff’s defamation claim against LCP, Smeal, Arnold, and Shiffer is **DISMISSED WITH PREJUDICE**.
3. With respect to plaintiff’s claims under the Eighth Amendment and the Due Process Clause, and the “class of one” Equal Protection Clause claim, against defendants Smeal, Arnold, and Shiffer pursuant to 42 U.S.C. § 1983, said defendants’ motion to dismiss is **GRANTED**, and those claims are **DISMISSED WITH PREJUDICE**.
4. With respect to plaintiff’s suspect class Equal Protection Clause claim against Smeal, Arnold, and Shiffer, and plaintiff’s claims under the Americans with Disabilities Act and Rehabilitation Act against LCP, Smeal, Arnold, and Shiffer, said defendants’ motion to dismiss

is **GRANTED**, and those claims are **DISMISSED WITHOUT PREJUDICE** to plaintiff's right to file an amended complaint to provide more substantial factual allegations to support a facially plausible claim under the Constitution and federal laws, should such facts exist. Plaintiff has twenty-one days from the date of this order in which to file an amended complaint or these claims will also be dismissed with prejudice without further notice to plaintiff.

s/ William H. Yohn Jr.  
William H. Yohn Jr., Judge